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Counterdefendants
ALPHA & OMEGA SEMICONDUCTOR,
INC.
ALPHA & OMEGA SEMICONDUCTOR,
LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALPHA & OMEGA SEMICONDUCTOR,
INC., a California corporation; and
ALPHA & OMEGA SEMICONDUCTOR,
LTD., a Bermuda corporation,

Plaintiffs and Counterdefendants,

v.

FAIRCHILD SEMICONDUCTOR
CORP., a Delaware corporation,

Defendant and Counterclaimant.

AND RELATED COUNTERCLAIMS

TOWNSEND AND TOWNSEND AND
CREW LLP
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Counterclaimant
FAIRCHILD SEMICONDUCTOR CORP.

Case No. C 07-2638 JSW (EDL)
(Consolidated with Case No. C 07-2664 JSW)

**STIPULATION AND [PROPOSED]
ORDER RE: PENDING MOTIONS**

STIPULATION

WHEREAS Alpha & Omega Semiconductor, Inc., Alpha & Omega Semiconductor, Ltd. (collectively "AOS") and Fairchild Semiconductor Corp. ("Fairchild") are parties to the above captioned matters;

WHEREAS Fairchild filed a Motion to Compel Responses to Interrogatories and Production of Documents (Docket #57, hereafter "Fairchild's Motion to Compel"), presently noticed for hearing on December 18, 2007;

WHEREAS AOS filed a Motion to Compel Responses to Interrogatories and Production of Documents (Docket #71, hereafter "AOS's Motion to Compel"), also presently noticed for hearing on December 18, 2007;

WHEREAS Fairchild filed a Motion to Strike Plaintiffs' Patent Local Rule 3-1 Disclosures (Docket #59, hereafter "Fairchild's Motion to Strike"), also presently noticed for hearing on December 18, 2007;

WHEREAS the parties have met and conferred on numerous instances since the filing of the above-referenced motions;

WHEREAS in an effort to compromise and without waiving any rights including privilege and work product protection, AOS has produced additional reverse engineering analysis of the Fairchild products identified in AOS's Patent Local Rule 3-1 Disclosures for U.S. Patent Nos. 5,767,567 and 5,907,776;

WHEREAS in light of the information produced by AOS, Fairchild has agreed to withdraw its Motion to Strike from the Court's calendar on the condition that AOS provide amended claim charts based on the reverse engineering analysis;

WHEREAS AOS has agreed to provide said amended claim charts by December 21, 2007;

WHEREAS the parties also believe they will be able to reach an agreement to proceed with discovery on the basis of representative parts, and that such an agreement would obviate the pending motions to compel, but they have not yet been able to finalize the details of said representative parts agreement;

1 WHEREAS continuing the hearings on the parties' pending motions to compel will give
2 the parties sufficient time to work out the details of a representative parts agreement and
3 potentially obviate the need for the Court to rule on the pending motions to compel;

4 IT IS THEREFORE STIPULATED by and between the parties, through their undersigned
5 counsel of record, as follows:

6 1. Fairchild withdraws its Motion to Strike, provided, however, that Fairchild may re-
7 notice the motion if AOS does not provide amended claim charts based on the aforementioned
8 reverse engineering analysis by December 21, 2007;

9 2. The hearing on Fairchild's Motion to Compel and AOS's Motion to Compel is
10 continued from December 18, 2007 to January 15, 2008 at 2:00 p.m.;

11 3. This stipulation and proposed order shall not affect the hearing on AOS's pending
12 Motion for a Protective Order, which shall be heard as noticed on December 18, 2007 at 9:00 a.m.

13 IT IS SO AGREED AND STIPULATED.

14 Dated: December 17, 2007

MORGAN, LEWIS & BOCKIUS LLP

17 By: /s/ Brett Schuman

18 Brett M. Schuman
19 Attorneys for Plaintiffs and
20 Counterdefendants
ALPHA & OMEGA SEMICONDUCTOR,
LTD., AND ALPHA & OMEGA
SEMICONDUCTOR, INC.

21 Dated: December 17, 2007

22 TOWNSEND AND TOWNSEND AND
23 CREW LLP

24 By: /s/ Eric P. Jacobs

25 Eric P. Jacobs
26 Attorneys for Defendant and
27 Counterclaimant
FAIRCHILD SEMICONDUCTOR
CORPORATION

[PROPOSED] ORDER


Pursuant to the parties' stipulation set forth above,

IT IS SO ORDERED.

Dated:

HON. ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE

1 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Brett M.
2 Schuman, attest that concurrence in the filing of this document has been obtained from each of
3 the other signatories. I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct. Executed this 17 day of December, 2007, at San
5 Francisco, California.

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9 Brett M. Schuman